

FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

L9289.01170

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/913503

INTERNATIONAL APPLICATION NO.
PCT/JP00/09004INTERNATIONAL FILING DATE
December 19, 2000PRIORITY DATE CLAIMED
December 28, 1999

TITLE OF INVENTION

BASE STATION APPARATUS AND TRANSMISSION POWER CONTROL METHOD

APPLICANT(S) FOR DO/EO/US

Toshiyuki UEHARA, Toyoki UE
Atsushi SUMASU, Osamu KATO and Mitsuru UESUGI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Claim for Priority with PCT/IB/304
PCT/IB/308
PCT/RO/101

5 AUG 2001

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) 09/913503		INTERNATIONAL APPLICATION NO. PCT/JP00/09004		ATTORNEY'S DOCKET NUMBER L9289.01170													
24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <div style="margin-left: 20px;"><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</div> <div style="text-align: right; margin-right: 50px;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS PTO USE ONLY													
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$860.00													
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th style="width:15%;">CLAIMS</th><th style="width:25%;">NUMBER FILED</th><th style="width:25%;">NUMBER EXTRA</th><th style="width:35%;">RATE</th></tr></thead><tbody><tr><td>Total claims</td><td>10 - 20 =</td><td>0</td><td>x \$18.00</td></tr><tr><td>Independent claims</td><td>3 - 3 =</td><td>0</td><td>x \$80.00</td></tr></tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	10 - 20 =	0	x \$18.00	Independent claims	3 - 3 =	0	x \$80.00	\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE														
Total claims	10 - 20 =	0	x \$18.00														
Independent claims	3 - 3 =	0	x \$80.00														
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00													
TOTAL OF ABOVE CALCULATIONS =				\$860.00													
<input type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$0.00													
SUBTOTAL =				\$860.00													
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00													
TOTAL NATIONAL FEE =				\$860.00													
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/>				\$40.00													
TOTAL FEES ENCLOSED =				\$900.00													
				<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:50%;">Amount to be: refunded</td><td style="width:50%;">\$</td></tr><tr><td>charged</td><td>\$</td></tr></table>		Amount to be: refunded	\$	charged	\$								
Amount to be: refunded	\$																
charged	\$																
<div style="margin-left: 20px;"><p>a. <input checked="" type="checkbox"/> A check in the amount of \$900.00 to cover the above fees is enclosed.</p><p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p><p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-4375. A duplicate copy of this sheet is enclosed.</p><p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p></div>																	
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																	
SEND ALL CORRESPONDENCE TO:																	
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">James E. Ledbetter, Esq. STEVENS, DAVIS, MILLER & MOSHER, LLP. 1615 L Street, NW, Suite 850 Washington, DC 20036 Tel.: (202) 785-0100 Fax: (202) 408-5200</div> <div style="float: right; text-align: right;"><div style="border-top: 1px solid black; width: 150px; margin-bottom: 5px;"></div><div style="border-top: 1px solid black; width: 150px; margin-bottom: 5px;">James E. Ledbetter, Esq.</div><div style="border-top: 1px solid black; width: 150px; margin-bottom: 5px;">NAME</div><div style="border-top: 1px solid black; width: 150px; margin-bottom: 5px;">28,732</div><div style="border-top: 1px solid black; width: 150px; margin-bottom: 5px;">REGISTRATION NUMBER</div><div style="border-top: 1px solid black; width: 150px; margin-bottom: 5px;">August 15, 2001</div><div style="border-top: 1px solid black; width: 150px;">DATE</div></div>																	